

GOVDOC

CITIZENS OF BOSTON:

If you are being hurt by domestic violence, this pamphlet will assist in explaining how you can get help and protection. The Boston Police Department wants you to be safe and help you stop the abuse.

No one deserves to be beaten or threatened with harm.

GET HELP!

If you have been hit, forced to have sex, or threatened by your spouse, ex-spouse, a household, or former household member, a blood relative, the parent of your child, or a person with whom you have had a substantial dating relationship you are being abused.

The Abuse Prevention Law, Chapter 209A was enacted to help keep you from being abused. The Abuse Prevention Law will allow the court to issue a protection order notifying your abuser to stop the abuse. This order is most commonly known as a restraining order. The police are responsible for enforcing the restraining order.

The police, courts, or shelters can assist or advise you in obtaining a restraining order.

The police can assist you in getting an emergency restraining order (which is valid only until the next court business day.) An emergency restraining order can be obtained by the police any time the court is closed. The police will contact an on-call judge. You will be given a copy and the police will attempt to serve a copy to your abuser.

You may go to your local court and apply for a temporary order (valid for 10 days.) Once a temporary order is issued, you must return to the court for a hearing. This hearing will give you the opportunity to be heard on the matter.

The order (Extended Restraining Order) issued for a longer period of time can be extended for up to one year.

COMMONLY ASKED QUESTIONS

What can the court order?

The court can order your abuser to:

- restrain from abuse
- vacate your household, building or workplace
- give up custody of a minor child
- support you and your minor child
(if your abuser has a legal obligation to do so)
- reimburse you for monetary losses
(such as replacing locks, restoring utilities, loss of earnings, etc.)
- other orders (according to your specific needs)

How do you obtain an order?

Go to the Clerk's office of the District Court, Superior Court, or Probate and Family Court that has jurisdiction where you live or where the abuse occurred. Tell the Clerk why you want to file a Complaint for Protection from Abuse. (This is not a criminal complaint.) After you have completed this form you will speak to a judge and explain what happened and why you need protection. The judge can grant a Temporary Order valid for 10 days. You will be given a copy of the temporary order and a summons to return to the court within 10 days for a hearing. The "10 day hearing" is when the judge will decide whether or not to extend the order. Always keep a copy of the order with you.

Who gives the order to the abuser?

Police are responsible for giving the order to the abuser. The abuser must receive a copy of the order for it to be valid. However, you are protected whether or not the abuser receives a copy. Provide as much information as possible about your abuser to help the police find your abuser. Before leaving the courthouse, be certain that the court gives the order to police. Make arrangements for police to serve the order to your abuser.

Why do I have to attend the "10 day hearing"?

The 10 day hearing is scheduled to allow both you and your abuser to appear before the judge to tell what happened. Bring any witness or evidence you might have to support your testimony. If the abuser does not appear, the hearing will still be held. You will tell the judge exactly what happened and what orders you wish for your protection. The judge will decide whether or not to extend the order and may extend the order for up to one year. You must appear at this hearing or the order will automatically be dismissed.

Later, if your need for protection changes, you may return to the court and ask the judge to change or remove the order. Get a copy of this order and keep it with you.

How is the order enforced?

Violation of the Order is a crime. If your abuser violates the order, call 9-1-1 at once. Explain (to the 9-1-1 operator) that your abuser has violated the restraining order and ask for help at once. Give a description of your abuser and his car (if he is operating a car.) Write down the name of the officer who assists you.

POLICE RESPONSIBILITY

The police are responsible for enforcing the Restraining Order. They are to:

- be concerned about you and your children's safety
- remain at the scene of abuse until everyone is safe
- assist you in getting medical treatment if you are injured
- inform you of your rights and give you a copy of the **Abuse Law Rights**
- activate the Emergency Judicial Response System when the court is closed (to get an Emergency Order)
- arrest the person the officer witnesses or has probable cause to believe has
 1. Violated a temporary or permanent
 - a. vacate order
 - b. restraining order
 - c. no contact order
 - d. judgment

(issued in accordance to Chapter 208 Sec. 18, 34B, 34C or Chapter 209A Sec. 3,4 or 5, or Chapter 209C Sec. 15 or Sec. 20.)

2. Committed a felony
 3. Committed a misdemeanor involving abuse as defined by law
 4. Committed an assault and battery (MGL 265 Sec. 13A)
- tell you that the abuser, if arrested, will be eligible for bail and may be released
 - help you get to a safe place
 - write a police report of the incident

What if the police are unable to make an arrest?

If the police are unable to make an arrest, you may go to the Clerk's Office of the District Court and file an application for criminal complaint. Tell the Clerk about the crime and the person who committed the crime. If the Clerk schedules a "show cause hearing" to decide whether or not to issue criminal complaints, the accused person will receive notice to appear before the court. You must be present at this hearing to tell what happened. Bring any witnesses or evidence - including a copy of the Police Incident Report. You may get a free copy of your Police Incident Report from Boston Police Headquarters, Insurance Reports, 1 Schroeder Plaza, Boston, MA 02120 or call 617-343-4322.

During the "show cause hearing" the Clerk will allow you and the person accused of the crime to speak about what happened. If the Clerk grants a criminal complaint, the District Attorney's Office will assign an Assistant District Attorney to prosecute the case. The Assistant District Attorney and the Victim Witness Advocate will talk with you to find out what happened. They will explain your rights as a crime victim. They will explain the court process and assist you.

SAFETY PLANS

It is important that you make safety plans in addition to obtaining a restraining order. A shelter can help you know what is available to you.

The Boston Police Department wants you to be safe. In an emergency call 9-1-1 for officers to come to your aid. To check the status of your court case call the Victim Witness Advocate and the District Attorney's Office. The Domestic Violence Detective can assist you with the investigation of your case. If you have additional questions, or need assistance call the Domestic Violence Unit at 617-343-4350.

LISTED BELOW ARE IMPORTANT PHONE NUMBERS & ADDRESSES:

Police Emergency 9-1-1
 Domestic Violence Unit 617-343-4350
 Battered Women's Hotline 1-800-992-2600

Boston Police Domestic Violence Detectives

Area A-1 617-343-4807
 40 New Sudbury Street, Boston, MA 02114
Downtown, Charlestown, North End, Chinatown

Area A-7 617-343-4808
 7 Paris Street, East Boston, MA 02128
East Boston

Area B-2 617-343-4809
 135 Dudley Street, Roxbury, MA 02119
Roxbury, North Dorchester

Area B-3 617-343-4810
 1165 Blue Hill Avenue, Dorchester, MA 02124
Dorchester Mattapan

Area C-11 617-343-4786
 40 Gibson Street, Dorchester, MA 02122
Dorchester

Area C-6 617-343-4741
 101 West Broadway, South Boston, MA 02127
South Boston

Area D-4 617-343-4811
 650 Harrison Ave., Boston, MA 02118
South End, Back Bay, Fenway

Area D-14 617-343-4812
 301 Washington Street, Brighton, MA 02135
Brighton, Allston

Area E-5 617-343-4813
 1708 Centre Street, West Roxbury, MA 02132
West Roxbury, Roslindale, Jamaica Plain

Area E-13 617-343-5630
 3345 Washington Street, Jamaica Plain, 02130
Jamaica Plain, Roxbury

Area E-18 617-343-4814
 1249 Hyde Park Avenue, Hyde Park, MA 02136
Hyde Park, Mattapan

Hospitals

Boston Medical Center

818 Harrison Ave.
 Boston, MA 02118
 Emergency 617-414-5000
 Pediatric 617-534-4991

Carney Hospital

2100 Dorchester Ave.
 Dorchester, MA 02124
 Phone 617-296-4000

Brigham & Women's

75 Francis Street
 Boston, MA 02120
 Phone 617-732-5636
 617-732-6000

Faulkner Hospital

1153 Centre Street
 Jamaica Plain, MA 02130
 Phone 617-522-5800

Children's Hospital

300 Longwood Ave.

Boston, MA 02120

Phone 617-355-6000

Mass. General Hospital

55 Fruit Street

Boston, MA 02114

617-726-2000

Shelter and Counseling

Casa Myrna Vasquez

Boston, MA

Phone 1-800-992-2600

Finex House

Phone 617-288-1054

D.V. Safelink Hotline

Phone 1-877-785-2020

Transition House

P.O. Box 530

Cambridge, MA 02238

Phone 617-661-7203

Suffolk County District**Attorney's Office**

District Court Division

(Victim/Witness Advocate Assistance)

Assistant D.A.s and

Victim/Witness Advocates are
available at the Courthouse:

Monday through Friday

Brighton District Court

52 Academy Hill Road

Brighton, MA 02135

V/W Advocate 617-782-5236

*court for Brighton and Allston***East Boston District Court**

37 Meridian Street

East Boston, MA 02128

V/W Advocate 617-567-8650

617-567-8651

*court for East Boston and
Winthrop***South Boston Dist. Court**

535 Broadway

South Boston, MA 02127

V/W Advocate 617-269-7777

*court for South Boston***Boston Municipal Court**

District Attorney's Office

1 Bullfinch Place

Boston, MA 02114

V/W Advocate 617-619-4050

*court for Back Bay, North End
and South End***Dorchester Dist. Court**

District Attorney's Office

510 Washington Street

Dorchester, MA 02124

V/W Advocate 617-287-1195

*court for most of Dorchester and
Mattapan***Roxbury Dist. Court**

85 Warren Street

Roxbury, MA 02119

V/W Advocate 617-445-8618

*court for most of Roxbury and
some of Back Bay***West Roxbury Dist. Court**

445 Arborway (near Forest Hills

MBTA station)

Jamaica Plain, MA 02130

V/W Advocate 617-522-4471

*court for Hyde Park, Jamaica**Plain, Roslindale, West Roxbury,**some of Roxbury and Dorchester*

Legal

Greater Boston Legal**Services Battered Women's****Advocacy Project**

197 Friend Street

Boston, MA 02114

617-371-1234

Mental Health**Massachusetts Mental**

74 Fenwood Road

Boston, MA 02115

Phone 617-626-9300

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of Justice - Office of Victims of Crimes**Boston Police**
DEPARTMENT**Domestic Violence Unit****1 Schroeder Plaza****Boston, MA 02120****617-343-4350**